

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

RICHARD WADE ROGERS,

Plaintiff,

Civil No. 1:19-cv-00916-YY

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Order Awarding Attorney's Fees
pursuant to the Equal Access to Justice Act,
28 U.S.C. § 2412(d)

Before the Court is the Motion of Plaintiff, Richard Wade Rogers, for award of attorney's fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d). Based on the pleadings as well as the position of the defendant commissioner, if any, and recognizing Plaintiff's waiver of direct payment and assignment of EAJA to his counsel,

IT IS HEREBY ORDERED that attorney fees, expenses, and costs in the total amount of Five Thousand Six Hundred Fifty-Five Dollars and Forty-Three Cents (\$5,655.43) pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d) are awarded to Plaintiff. *Astrue v. Ratliff*, 130 S.Ct. 2521 (2010).

The Court hereby awards EAJA fees, broken down as follows:

1. Plaintiff is awarded 24.5 hours in 2019 and 2020 at \$205.25 per hour in the amount of \$5,028.63 for attorney's fees under 28 U.S.C. § 2412(d);

2. Plaintiff is awarded 6.1 hours at \$100.00 per hour in the amount of \$610.00 for Paralegal Services.

3. Plaintiff is awarded \$16.80 in expenses for Certified Mail for service of Summons and Complaint.

If the U.S. Department of the Treasury determines that Plaintiff's EAJA fees, expenses, and costs are not subject to offset allowed under the Department of the Treasury's Offset Program (TOPS), then the check for EAJA fees, expenses, and costs shall be made payable to Plaintiff's attorney, Edward A. Wicklund.

Whether the check is made payable to Plaintiff or to Edward A. Wicklund, the check shall be mailed to Edward A. Wicklund at the following address:

250 South Clinton Street
Suite 210
Syracuse, NY 13202

So ordered.

Date: December 2, 2020

/s/ Youlee Yim You
Youlee Yim You
United States Magistrate Judge

[Order proffer: Edward A. Wicklund; copy to Renata A. Gowie]